

TELECOPY REQUEST FORM

The information in this facsimile is intended for the designated recipient only. It may contain privileged and confidential information. If you have received this facsimile in error, please notify us immediately at (616) 923-5470 (collect) to arrange for return or disposition of these facsimile documents. Do not disclose the contents of this facsimile to anyone. Thank you.

Please Deliver this Document to:

Date: **February 10, 2005**

**RECEIVED
CENTRAL FAX CENTER
FEB 10 2005**

Name: **Examiner: Frankie L. Stinson**

Fax No. **703-872-9306**

Company: **U.S. Patent and Trademark Office**

Pages: **Cover + 2**

From: **Robert O. Rice, WHIRLPOOL PATENTS CO.**
Phone: (269) 923-5470(Voice) Fax: (269)923-5778

Attached is Amendment A in response to Office Action Dated January 11, 2005, for our application No. 10/717,768, filed November 20, 2003. Atty. Docket No. US20030359.

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay Landsiedel et al.
Invention: Dishwasher and Adjustable Rack
Serial No. 10/717,768
Date Filed: November 20, 2003
Group Art Unit 1746
Examiner: Frankie L. Stinson

**RECEIVED
CENTRAL FAX CENTER
FEB 10 2005**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

REMARKS

This is in response to the outstanding office action of January 11, 2005, wherein the Examiner required election of a single disclosed species for the following patentably distinct species of the claimed invention: (a) the species of fig. 3; (b) the species of figs. 12A-B; (c) the species of fig. 13A; (d) the species of fig 17A; and (e) the species of fig. 19.

The Applicant hereby elects (a) the species of fig. 3, Claims 1-8, 13-20, 21-27 and 32-39 read thereon, without traverse. The Applicant notes that upon the allowance

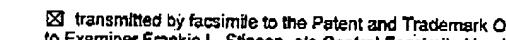
of generic claims, the Applicant will be entitled to consideration of claims to additional species

Respectfully submitted,

Dated: February 10, 2005

WHIRLPOOL PATENTS COMPANY
500 Renaissance Drive - Ste. 102 MD750
St. Joseph, Michigan 49085

Clifton Green Legal Counsel
Telephone: (269) 923-5604

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))	
I hereby certify that this correspondence is, on the date shown below, being:	
<input type="checkbox"/> deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, Alexandria, VA, 22313-1450.	
<input checked="" type="checkbox"/> transmitted by facsimile to the Patent and Trademark Office. to Examiner Frankie L. Stinson, c/o Central Facsimile Number 703-372-9306.	
 Signature	
Date:	February 10, 2005
Barbara L. Katowich <i>(type or print name of person certifying)</i>	